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PART II—Section 4

Statutory Rules and Orders issued by the Ministry of Defence

MINISTRY OF DEFENCE

S.R.O. 73, dated 31st Jan. 1958.—The following bye-laws for the regulation and control of loudspeakers in the Deolali Cantonment, made by the Cantonment Board, Deolali, in exercise of the powers conferred by clauses (28) and (38) of section 282 and section 283 of the Cantonments Act, 1924 (2 of 1924), are published for general information the same having been previously published and having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said act, namely:—

BYE-LAWS FOR THE REGULATION AND CONTROL OF LOUDSPEAKERS IN THE DEOLALI CANTONMENT

1. Except with the permission, in writing, of the Executive Officer and on such conditions as may be imposed under these bye-laws, no person shall make use of any loudspeaker or other electrically or mechanically operated means of producing loud noises, whether stationary or fitted to any motor lorry or other moving vehicle, within the limits of the Deolali Cantonment:

Provided that no such permission shall be necessary for the use of any loudspeaker for the announcement of any notice or communique issued by the Central or State Government, or by the District Magistrate or the District Superintendent of Police of the district or by the Cantonment Executive Officer.

2. No loudspeaker shall be permitted to be used between 10 P.M. to 6 A.M.

3. An application for permission shall be made to the Executive Officer who may, with due regard to public safety and convenience, refuse or grant permission and in granting such permission he may impose any reasonable conditions in respect of the use of the said apparatus. The Board may from time to time lay down instructions for the guidance of the Executive Officer in the matter.

4. Any permission given or condition imposed under these bye-laws may be withdrawn or varied by the Executive Officer where such withdrawal or variation appears to him necessary in the interest of the public.

5. Every permission given under these bye-laws shall be subject to such magisterial orders as may be issued in any emergency.

6. Any person aggrieved by an order of the Executive Officer, made under these bye-laws, may appeal to the Cantonment Board, within ten days from the date of the communication of such order to him.

7. A breach of any of the provisions of these bye-laws shall be punishable with fine which may extend to fifty rupees, and, in the case of continuing contra-

vention, with an additional fine which may extend to five rupees for every day during which such contravention continues after conviction for the first such contravention.

[No. 12/38/G/L&C/57/313-G/D(C&L).]

S.R.O. 74, dated 31st Jan. 1958.—The following amendments to the Byelaws for regulating the inspection and the giving of copies of Cantonment Board records and documents in the Mhow Cantonment, published with the Central India Agency Notification No. 3372/B, dated the 12th November 1938, made by the Cantonment Board, Mhow, in exercise of the powers conferred by clause (39) of section 282 of the Cantonments Act, 1924 (2 of 1924) are hereby published for general information, the same having been previously published and having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

In byelaw 3 of the said byelaws, for clauses (a) to (g), the following shall be substituted namely:—

<i>Documents</i>	<i>Fees</i>
(a) Maps and Plans on tracing cloth or its substitute .	Rs. 3-50 n.P. per foolscap size sheet or part thereof.
(b) Site Plan on any paper	Re. 1.
(c) Maps and Plans ferro type copies	Rs. 1-50 n.P. per foolscap size sheet or part thereof.
(d) Building Notice excluding copies of Plan	Re. 1 per copy.
(e) Rules made under the Act on any one subject	Rs. 2 per copy.
(f) Byelaw under the Act on any one section or sub-section of the Act	75 n.P. per copy.
(g) Any other document typed or hand written	50 n.P. per foolscap size or part thereof.
(h) Inspection Fee	Re. 1 per hour or fraction thereof.

[P. No. 53/53/G/L. & C./57/4742-G/D (C. & L.).]

S.R.O. 75, dated 30th Jan. 1958.—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (2 of 1924), the Cantonment Board, Chakrata, with the previous sanction of the Central Government, hereby makes the following amendments in the notification of the Government of United Provinces No. 189/XI-24E, dated the 31st January, 1916, namely:—

Amendments

In the Schedule annexed to the said notification:—

(1) under the head "Class I.—Articles of food or drink for man or animals", after the word "grease" the words "Hydrogenated oils of all kinds" shall be inserted; and

(2) under the head "Class VI.—Tobacco", after the existing entries, the following entry shall be inserted, namely:—

Birries Cent *ad valorem* Rs. 1-56 n.P.

[(No. 53/2/G/L&C/57/348-G/D(C&L).]

S.R.O. 76, dated 4th Feb. 1958.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify the election of the following persons to the Cantonment Board, Shahjahanpur, from the ward noted against each:—

Shri Ram Charan Lal—Ward No. I.

Shri Mithan Lal—Ward No. II.

Shri Umesh Chandra—Ward No. III.

Shri V. M. Kochhar—Ward No. IV.

[No. 29/25/G/L&C/57.]

S.R.O. 77, dated 1st Feb. 1958.—Under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (I of 1894) the President of India is pleased to notify for general information that the land mentioned in the Schedule is needed for a public purpose.

2. The President of India being of the opinion that the provisions of sub-section (1) of section 17 of the said Act are applicable to the said land, is further pleased under sub-section (4) of the said section, to direct that the provisions of section 5-A of the said Act shall not apply.

SCHEDULE

District	Tehsil	Village	Khasra Nos.	Approximate area	For what purpose required	Remarks
1	2	3	4	5	6	7
				Kanals	Marlas	
Jullundur	Jullundur	Kandola	15/11	0	16	Fusing Sheds
			16/6/1	2	14	Adampur Air-field.
			15/1/1	2	6	
			15/3/1	1	0	
			15/20/1	3	3	
			16/1/1	1	11	
			84/1	5	17	
				17	7	

= 1.8 acres.

S.R.O. 78, dated 31st Jan. 1958.—In exercise of the power conferred by sub-section (1) of section 16 of the Cantonments Act, 1924 (2 of 1924) read with section 21 of the General Clauses Act, 1897 (10 of 1897), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Defence No. S.R.O. 435, dated the 25th November, 1957.

[No. 29/11/G/L&C/57/263-G/D(C&L).]

S.R.O. 79, dated the 4th Feb. 1958.—In exercise of the powers conferred by sub-section (1) of section 4 of the Cantonments Act, 1924 (2 of 1924), the Central Government, after consultation with the Government of the former State of Hyderabad and the Aurangabad Cantonment Board, hereby declares its intention to include the following area within the Cantonment of Aurangabad.

Any inhabitant of the Cantonment of Aurangabad or of the said local area may within six weeks from the date of this notification, submit in writing to the Central Government through the General Officer Commanding-in-Chief, the Command, an objection to the notification, and the Central Government shall take such objection into consideration.

Parts of Revenue Survey No. 19 and 20, of Padampura village measuring 1.49 acres and situated outside but adjacent to the Cantonment Boundary between pillars No. 22 and 23.

[No. 13-A/1/G/L&C/55/374-G/D(C&L)]

S.R.O. 80, dated 7th Feb. 1958.—In exercise of the powers conferred by clauses (a) and (b) of Section 31 of the Cantonments Act, 1924 (2 of 1924) the Central Government is pleased to make the following Rules, the same having been previously published as required by the said Section, namely:—

RULES

1. **Short title and commencement.**—(i) These rules may be called the Khas Yol Cantonment (Division into wards) Rules, 1957.

(ii) They shall come into force at once.

2. Division of Cantonment into Wards.—For the purpose of holding elections to the Cantonment Board, the Khas Yol Cantonment shall be divided into the following Wards namely:—

- (a) Ward No. I.
- (b) Ward No. II.
- (c) Ward No. III.
- (d) Ward No. IV.

3. Boundaries of Wards.—The Boundaries of each Ward shall be as specified in the Schedule annexed to these Rules.

4. Number of Members to be elected.—The number of members to be elected by each of the said wards shall be as shown below:—

(1) Ward No. I	I
(2) Ward No. II	I
(3) Ward No. III	I
(4) Ward No. IV	I

SCHEDULE

(Boundaries of wards—see rule 3)

Serial No.	Ward No.	Description of areas included in the ward	Boundaries
1	2	3	4
1	I	Outside Camp area comprising of tikas Chatair and Khas Yol of Mauza Yol.	<p><i>North: Cantt.</i>—Boundary from Pillar No. 1 upto the crossing of Nad Khud, situated between Pillar No. 5 and 6.</p> <p><i>South</i>—Dharamsala Yol District. Board Bridle Road from the Guheri Bridge upto its end in Yol where it joins the M. E. S. metalled road.</p> <p><i>East and North East.</i>—Nod Khad and Northern and Western Boundary lines of Camp (<i>i.e.</i>, requisitioned area under the occupation of Milly. authority).</p> <p><i>West.</i>—Guheri Khud from Cantonment Boundary pillar No. 1 upto the Guheri Khud Bridge on Dharamsala Yol District Board Bridle road.</p>
2	II	Out-side camp area comprising of Tikas Lehsar, Bani and Banorru of Mauza Yol.	<p><i>North.</i>—Dharamsala Yol District. Board Bridle road from the Guheri Bridge upto its end in Yol where it joins the M. E. S. metalled road.</p> <p><i>South.</i>—Cantonment boundary from pillar No. 15 to Pillar No. 25.</p> <p><i>East.</i>—Western and Southern boundary of Camp <i>i.e.</i>, requisitioned area under the occupation of military authority.</p> <p><i>West.</i>—Guheri Khud from boundary pillar No. 21 upto the District Board Bridge on Guheri Khud.</p>

1	2	3	4
3	III	Outside camp area comprising of Mauzas of Narwana Balchar and Tangroti.	<p><i>North and North East.</i>—Cantonment Boundary line from the crossing of Ned Khud (situated between Boundary pillar Nos. 5 and 6) upto boundary pillar No. 8.</p> <p><i>South and South East.</i>—Cantonment boundary from Pillar No. 8 to Pillar No. 15.</p> <p><i>West.</i>—Ned Khud, Eastern boundary of Military Camp upto the point to the south of Military Farm Depot where it crosses Ned Khud and thence again Ned Khud.</p>
4	IV	Military Camp <i>i.e.</i> , requisitioned area under the occupation of military authorities.	<p><i>North.</i>—Tika Chatair.</p> <p><i>South.</i>—Tika Lehsar, Bani of Mauza Yol and Tika Jaloh of Mauza Narwana.</p> <p><i>East.</i>—Nod Khad, Yol 53 mile road and Tika Tangroti Khas.</p> <p><i>West.</i>—Tika Chatair Khal Yol and Lehsar of Mauza Yol.</p>

S.R.O. 81, dated 10th Feb. 1958.—In exercise of the powers conferred by section 31 of the Cantonments Act, 1924 (2 of 1924), the Central Government hereby makes the following amendments to the Cantonments Electoral Rules, 1945, the same having been previously published as required by the said section, namely:—

Amendments

In the said Rules,

(1) in rule 6, for the word “by” the word “on” shall be substituted, and the note under this rule shall be omitted;

(2) in rule 13,

(i) in sub-rule (1),

(a) for the words “not later than” the word “on” shall be substituted;

(b) the following further proviso shall be added namely:—

“Provided further that the Executive Officer shall remove from the roll the names of any persons from any local area forming part of a Cantonment when, by a notification under section 4 of the Act, such area ceases to be under the control of the Board after the final publication of the rolls”;

(ii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) If the electoral roll is not prepared or finally published on the dates specified in rule 6 or sub-rule (1) of rule 13 respectively, the Central Government may direct the Board or where a Board is not constituted, the Officer Commanding the Station to have the electoral roll prepared or finally published on such dates as may be specified in the order, and the Board or the Officer Commanding the Station, as the case may be, shall comply with such direction;

(iii) sub-rule (3) shall be omitted;

(iv) sub-rule (4) shall be renumbered as sub-rule (3).

(3) after the rule 13, the following rule shall be inserted, namely:—

“13-A. *Re-arrangement of rolls on alteration of wards.*—Where after the electoral rolls for a Cantonment have been published under rule 13, the division of the Cantonment into wards is altered, the President shall, in order to give effect to the alteration of the wards, cause the names of the electoral rolls to be re-arranged on the basis of the altered wards”;

(4) for rule 50, the following rule shall be substituted, namely:—

"50. Corrupt practices.—The following shall be deemed to be corrupt practices for the purposes of these rules:—

(1) Bribery, that is to say, any gift, offer or promise by a candidate or his agent or by any other person, of any gratification to any person whomsoever, with the object, directly or indirectly, of inducing—

(a) a person, to stand or not to stand as, or to withdraw from being, a candidate, or to retire from contest, at an election;

(b) an elector to vote or refrain from voting at an election, or as a reward to—

(i) a person for having so stood or not stood, or for having withdrawn his candidature, or for having retired from contest; or

(ii) an elector for having voted or refrained from voting.

Explanation.—For the purposes of this clause, the term "gratification" is not restricted to pecuniary gratifications or gratifications estimable in money and it includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses *bona fide* incurred at, or for the purpose of, any election.

(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person, with the free exercise of any electoral right:

Provided that—

(a) without prejudice to the generality of the provisions of this clause any such persons as is referred to therein who—

(i) threatens any candidate, or any elector, or any person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and ex-communication or expulsion from any caste or community; or

(ii) induces or attempts to induce a candidate or an elector to believe that he, or any persons in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause;

(b) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.

(3) The systematic appeal by a candidate or his agent or by any other person, to vote or refrain from voting on grounds of caste, race, community or religion or the use of, or appeal to, religious symbols or the use, of, or appeal to, national symbols, such as the national flag or, the national emblem, for the furtherance of the prospects of that candidate's election.

(4) The publication by a candidate or his agent or by any other person, of any statement of fact which is false, and which he either believes to be false, or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature, or withdrawal, or retirement from contest, of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

(5) The hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or his agent or by any other person, for the conveyance of any elector (other than the candidate himself, the members of his family or his agent) to or from any polling station provided under rule 15:

Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint costs for the purpose of conveying him or them to and from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause, if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power:

Provided further that the use of any public transport vehicle or vessel or any tramcar or railway carriage by an elector at his own cost for the purpose of going to or coming from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause.

Explanation.—In this clause, the expression “vehicle” means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise.

(6) The obtaining or procuring or abetting or attempting to obtain or procure a candidate or his agent or, by any other person, any assistance (other than the giving of vote) for the furtherance of the prospects of that candidate's election, from any person in the service of the Government and the Board.

Explanation.—(1) In this section the expression “agent” includes an election agent, a polling agent and any person who is held to have acted as an agent in connection with the election with the consent of the candidate.

(2) For the purposes of clause (6), a person shall be deemed to assist in the furtherance of the prospects of a candidate's election if he acts as an election agent, or a polling agent or a counting agent of that candidate”;

2. This notification shall not affect the electoral rolls already prepared and finally published for the year 1957-58 in accordance with these Rules.

K. D. BHARGAVA, Under Secy.

